

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Becker et al.**

Serial No.: **10/674,979**

Filed: **September 30, 2003**

For: **Method and Apparatus for
Automatically Conducting Hardware
Inventories of Computers in a
Network**

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§ Group Art Unit: **2155**

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§ Examiner: **Lazaro, David R.**

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§ Attorney Docket No.: **AUS920030623US1**

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AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

On the mailing date of the Office Action in question, July 27, 2007, I was employed full time by the Firm and have no record of receipt of said Office Action. The Firm received a telephone call from the Examiner inquiring of the status of the response to the July 27, 2007 Office Action. At that time, I immediately contacted the Client to inform them of this situation and to ask if they had received a copy of the Office Action instead. They notified me that they had not received the Office Action.

When a office action is received, I enter the office action on the Firm's master docket and also enter the office action on the Firm's internal docketing system which produces a Case History Report. Receipt of the office action is neither indicated on the Case History Report nor on the case file index attached hereto.

Sworn to and attested as follows at Dallas, Texas on Wednesday, February 20, 2008:

AFFIANT:

Monica Gamez
Monica Gamez

On this the 20th day of February, 2008, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

Louise Fay
Notary Public
My commission expires: Nov. 28/09

(seal)

